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"PATENT"

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) Before the Examiner  
 Angela J. Keeney, et al. ) Ellen M. McAvoy  
 U. S. Serial No. 10/678,468 ) Confirmation Number: 3346  
 Filed: October 3, 2003 ) Group Art Unit: 1764  
 HIGH VISCOSITY INDEX WIDE- )  
 TEMPERATURE FUNCTIONAL FLUID ) Family Number: P2002J112 US2  
 COMPOSITIONS AND METHODS FOR )  
 THEIR MAKING AND USE )

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Sir:

**CLAIM REJECTIONS 35 USC 103**

All the independent claims have a limitation of a functional fluid comprising a base stock with a pour point of less than -35°C. This is an important limitation that Examiner has missed. The Examiner has stated, "Murphy does disclose in columns 9-10 formulated blends containing the inventive base stocks having viscosity indices ranging from 219 to 233 and pour points ranging from -46°C to -68°C which meet the limitations of the claims." This statement is not correct. The pour points ranging from -46°C to -68°C are for fully formulated blends but the claims are for base stocks with a

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents facsimile number 1-571-273-8300 on the date shown below.

Susan Fleming	<i>Susan Fleming</i>	August 17, 2007
Print name of person signing certification	Signature	Date

  
**27810**  
 PATENT TRADEMARK OFFICE